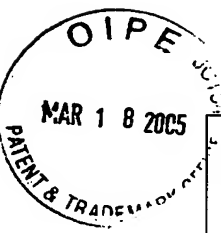


DFW



I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: March 15, 2005 Signature: Michael J. Doherty
(Michael J. Doherty)

Docket No.: SPINE 3.0-446 CONT
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ralph et al.

Application No.: 10/715,969 Confirmation No.: 5368

Filed: November 18, 2003 Art Unit: 3738

For: INTERVERTEBRAL SPACER DEVICE
HAVING ARCH SHAPED SPRING
ELEMENTS Examiner: J. G. Blanco

NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Assignee, SpineCore, Inc., hereby notifies the Patent and Trademark Office that it is not entitled to status as a small entity, and that the claim for small entity status filed by the Applicant is hereby withdrawn.

Dated: March 15, 2005

Respectfully submitted,

By Michael J. Doherty
Michael J. Doherty
Registration No.: 40,592
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicant